

FILED
JAMES BONINI
CLERK

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO JUN 28 PM 4:29
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
PLAINTIFF,)	Case No. 1:01-cv-714
)	(consolidated with 1:01-cv-715
V.)	and 1:01-cv-716)
)	
REAL PROPERTY KNOWN AND)	
NUMBERED AS 1704 HIDDEN HILLS)	SENIOR JUDGE WEBER
ROAD, NO. 607, GATLINBURG, SEVIER)	
COUNTY, TENNESSEE, WITH ALL)	
APPURTENANCES, IMPROVEMENTS,)	
AND ATTACHMENTS THEREON, et al.)	
DEFENDANTS.)	

GEORGE J. FIORINI, II's RESPONSE TO
UNITED STATES' MOTION TO STRIKE STATEMENT OF FACTS OR DENY
OBJECTION OF GEORGE J. FIORINI, II

NOW COMES GEORGE J. FIORINI, II, to file this Response and would show the Court the following, to wit:

Several properties allegedly owned by George J. Fiorini, II were included as a forfeiture and seizure allegation in the Grand Jury Indictment, Criminal No. CR 1-03-068 in the Southern District of Ohio. As a result, a forfeiture action was commenced. If George J. Fiorini, II did not own the said properties, the Court would not have jurisdiction or authority to order a default judgment concerning said properties.

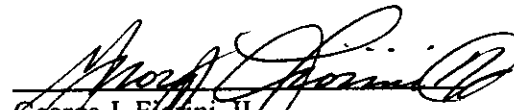
Now the government wants to have their way on both sides of the fence. For purposes of enforcing the forfeiture, George J. Fiorini, II is the owner of said properties. When he objects to the forfeiture in his Statement of Facts, the government argues that he is not the owner of said properties and has no standing to object to its seizure or forfeiture. If George J. Fiorini, II does not own the property or have standing to object,

then the government cannot seize the said properties and has no legal standing to the forfeiture and seizure.

It is a legal impossibility to own said properties on one hand and not own said properties on the other hand. The government must choose one side or the other. Either way, the government's actions are erroneous and illegal and must be struck down.

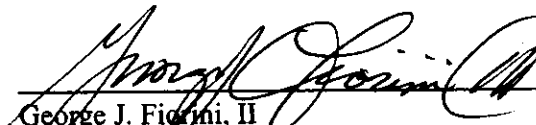
IT IS THEREFORE Prayed that George J. Fiorini, II's Statement of Facts and Objections are not struck or denied.

Respectfully submitted,


George J. Fiorini, II
7641 Westelman Road
Cleveland, Ohio 45002
(513) 353-9797

Certificate of Service

IT IS HEREBY Certified that a copy of the foregoing Response was mailed to Kathleen M. Brinkman, Assistant United States Attorney, by first class mail on the 28TH day of June, 2004.


George J. Fiorini, II